





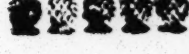
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1st from F.J.H. Sander



To His Excellence,
WILLIAM Earle of NEWCASTLE,
Viscount Mansfield, Lord Ogle, Baron of Bol-
sover, Bothall, and Hepple, Governour of the
Towne and County of Newcastle, Generall of all
*His Majesties Forces in the North Parts of this King-
dome, and in the Counties of Nottingham, Lincoln,
Rutland, Derby, Stafford, Leicester, Warwick,
Northampton, Huntington, Cambridge,
Norfolke, Suffolke, Essex, and Hertford,*
*One of His Majesties most
Honourable Privie
Councell.*

Right Honourable,

 Make bold in all humblenessse to present
 this Treatise to your Honours accep-
 **I** tance; the candid construction which
 your excellence hath often been pleased
 to give of my Sermons delivred to
the Eare, hath encouraged me, by a bold
tender, to offer this to your judicious Eye: If it
obtain your Lordships approbation, it will not re-
pent me that I have exposed it to the criticall View
of this censorious age, by so open a Publication;

The Epistle Dedicatory.

your Countenance it begs, that your Graciousness
may protect it; And designe Noble Lord, to vouch-
safe it your Honourable Patronage, for it justifies
that cause with the Pen, which your Excellence
maintains with the Sword; it pleades for Loyalty,
and to whom can a Treatise of Loyalty in these
Parts more fitly make it's addresse for shelter, then
unto his Excellence William Earle of Newcastle;
who as one of our Davids most excellent Worthies,
hath approved himselfe a most Renowned, Heroick,
Magnanimous protector of Loyalty in these Nor-
thern Counties, to the perpetuall Honour of his
Name, and Noble Family. Goe on still (most No-
ble Lord) with Heroick Magnanimity, and prosper;
till all the Kings Enemies that have risen up
against Him, be cloathed with shame, and my Lord
the King return home to His Pallace at White-
Hall in Peace; Which is the Loyall, the earnest
Prayer of

Your Excellencies in all humble
Observance, Service, and Duty,

T. A.

A



*A Vulgar or Popular Discourse, Written Dialogue-
wile, By Irenæus A Lover of Peace, against
Eristes A Lover of Contention.*

I *Renew*, Why do you fill the Church with Schisme, and the State with Faction, can you tell *Eristes* ? what is it you contend for ? or what warrant have you to lift up your hands against your Lawfull Sovereigne, the Lords Anoynted ?

Eristes. Are you a Stranger *Irenæus*, in this our *Israel*, and know not these things ? the matters for which we contend, are matters of importance : for we take up Arms in defence of the true Protestant Religion, His Majesties Person, the Liberties of the Kingdom, the Priviledges of Parliament, and that by Warrant and Commission from the two Houses of Parliament.

Irenæus. Surely *Eristes* you meane to put a gull upon me, as you have done upon many others, and by these fair plausible Pretences would seduce me to take part with you in a wretched Quarrell, and to hazard my Life in this World, and my Soul in the next, by bearing Arms against my Sovereigne.

Eristes. What doe you hold it an unlawfull and damnable

ble act, to take up Arms against your Sovereigne, in Defence of the true Protestant Religion, His Majesties Sacred Person, the Lawes of the Land, the Libertyes of the Subject, and the undoubted Priviledges of Parliament?

Ireneus. First, you take for granted that which will be denied, and go about to render your Prince odious to His People, under the hatefull notion of a Tyrant, as if he meant to subvert the true Protestant Religion, the Laws of the Land, &c. which are sad charges, but how groundlesse God and the World knowes.

Secondly, were your Pretences as true as they are specious, yet it is contrary to the Law of God, the Doctrine of the Apostles, the perpetuall Patience of Christs Church, that Princes may be resisted by their own Subjects; this is a Conclusion drawn not from Divinity, but Conspiracy, and whosoever teach Resistance of the highest Power, or Supreme Magistrate; their doctrine is wicked, and their proofes must needs be weak, let us heere then orderly and distinctly, what you can alledge to Justifie your forcible Resistance of Sovereignty?

Erastes. You mistake *Ireneus*, we who side with the two Houses of Parliament, do not arme our selves to fight against the King, but for the King.

Lezeus. There are no Rebels but pretend somewhat to justifie their unlawfull Acts of Rebellion: do you not take up Arms against the King, when you oppose him by Force of Arm, and in an Hostile manner seize upon his Forts, Ammunition, Ship, Revenues, when you make a Generall of your own, and give him Power to Kill and Murder the Person, to burne and plunder the Houses of His Leige People & when you discharge your Ordnance against Him and his Army, to the endangering of his Sacred

cred Person? this is a strange defence, to shoot at the King in his own defence: I believe (if this be to defend his Person) you would not be a King, to be so defended. Consider it well, and if this be not to take up Arms, against the King, I seriously confesse, I know not what is, nor know I what any Rebels can do more.

Erists. But we doe it to make him a glorious King, to defend, preserve, and maintaine his true Regall Power, Honour, and Dignity, to rescue him out of the hands of the Malignant Party, who are his greatest Enemies.

Ireneu. You tell us that you will make him a great and glorious King whilst you use all possible skill, to reduce him to extreame want and indigency, and that you will make him to be honoured at home, and feared abroad, whilst you indeavour by an unuall way of Remonstrancing to make his Person contemptible to Forraigne Princes, and his Government odious to his good Subjects. You set a worke seditious Sectaries and Schismatics, like so many *Catalins*, the Firebrands of their Country, to perswade the People that what you do is to defend, preserve, and maintaine his Honour, when, as appears by the nineteen Propositions, you intend nothing lesse for to instance in some of them. Is it for his honour to have all his Counsellours and great Officers displaced for no other fault, but because they have approved themselves most loyall and faithfull to him? Is it for his Honour, that he shall never chosse any Officer of State, but accept such as the two Houses of Parliament shall be pleased to nominate and appoint? You would thinke it hard if you might not be permitted to enterreine what Servant you would, but should have them appointed and thrust upon you by another man. Is it for his Honour to have

the power of disposing the *Militia* taken from him, which all other Kings his Predecessors ever had, and enjoyed as the chiefest Prerogative and Flower of their Crowns, and which if once he be divested of, he can neither defend himselfe nor his Prerogatives Royall, nor the Lawes of the Land in their true vigour, nor his Loyall Subj & in their Rights, Properties, and Libertyes, all which he is entrusted with; nor overawe and suppress any of his Subjects if they should rebell, nor be able to protect his Kingdoms against a Forraigne Prince or Potentate, in case they should invade his Dominions, Is this for his Honour? Judge as you would be judged, and doe as you would be done unto.

Lastly, whereas you pretend that you take up Arms, to rescue his Majesty out of the hands of the *Malignant Party* his greatest Enemies, we know no Malignant Party within this Kingdome, in all probability able to doe mischief besides the Separatists, Men notoriously disaffected to all Government, Disturbers of the Churches Peace, and experimentally known to be fatal to Monarchy; these and such as these His Majesties truly defines to be the Malignant Party, who are Persons disaffected to the Peace and Government of the Kingdom (such as neglecting and despising the Law of the Land) give themselves other Rules to walke by, dispensing with their obedience to Authority, and these His Majesty heedfully avoids as *Malignants* destructive to the Church and Commonwealth.

But you would have them removed from the King, as wicked Malignants, w^hom in his greatest afflictions he hath found most faithfull and trusty, and of whose tryed Loyalty, he hath had good prooffe and experience, and it is your

your usuall manner, to empty the very sinck of Language upon the reverend Fathers of this our *Israel*, and our most eminently learned Clergy, and to Martyr their names with those of probrious obloquies of *Malignant Party, Men disaffected to Peace, Adherents to Popery, Superstition, Idolatry, Scandalous Ministers*, whereas I doubt not but many of them will (if need require) be free of their dearest blood in refutation of such malicious calumnyes.

Erises. Well, to wave this point, admit that we fight not for, but against the King, yet we doe it in a good cause for the defence of the true Protestant Religion, which is our chief inheritance.

Irenaeus. You may not doe evil that good may come of it, Rom. 3. 4 And God is never more dishonoured, then when Religion is made a Cloake to palliate publique Rebellion, consider it well, Religion teacheth thee to be subject to the King, Rom. 13. 1. and wilt thou for Religion in a forcible way oppose the King?

Erises. Why may I not, when the King is enclined to Popery, and would subvert the true Protestant Religion?

Irenaeus. Thou art a man of a very light beleefe (if thou canst be induced to harbour in thine heart any such conceit of so gracious and Religious a Prince:) beleefe me, he that tell thee so, is none of the Kings friend, but one of the Malignant party, who would rob the King of the Loyall subjection and affections of his People, which is his royall due; And to the end thou mayst know how much he is wronged in the report, I referre thee to His own Declarations, wherein he often attest God with fearfull Imprecation, That He will inviolably conserve, and constantly maintain the true Protestant Religion, as in His Majesties Speech the ninth of March, 1641. *God so deale with me and mine, as*
all

all my thoughts and intentions are upright, for the maintenance of the true Protestant Religion: And in His Declaration to both Houses, in answer to that presented to Him at Newmarket, March 9. 1641. we doe (out the innocency of Our Soules) wish that the judgements of Heaven might be manifested upon these who have, or had any such designe of altering Religion in the Kingdom. And in His Majesties Answer to the Petition which accompanied the Declaration presented to Him at Hampton Court, December 1. 1641. we are perswaded in Our Conscience, that no Church can be found upon the Earth that professeth the true Religion with more purity of Doctrine, then the Church of England doth, which we will maintain with constancy (while we live) in its purity and glory. And in His Declaration, May 19. where He desires His Actions may no longer prosper, or have a blessing from God upon them or Him, when they shall be directed to the glory of God, in the maintenance of the true Protestant Religion.

Eristes. Sed quid opus est verbis cum facta videam?

But what are words without deeds, or attested Protestations unless they be seconded with answerable and suitable practises?

Irenaeus. If by the true Protestant Religion, you meane the Religion or publique Forme of Gods worship, established by Law in the Church of England, and sealed by the blood of many Martyrs; you cannot be ignorant, that His Majesty conformes to it in constant practise, even beyond the strictnesse of most of His Subjects, and what other way can he testifie his sincere affection to the true Protestant Religion, but only by his profession and practise.

He then that tells thee the King is inclined to Popery in his heart, either speaks what he knowes, & then he is a sear-

cher

cher and knower of the heart, which is a Prerogative belonging to God alone, nor communicable to any Man, or Angell, or else he speakes what he knowes not, and then he raileth a causelesse slander upon the King, contrary to his frequent Protestations and practise which is an high crime of a dangerous consequence, that deserves the utmost severity of punishment.

Thou mayst not beare false wirtnesse against thy neighbour of the meaneest rank, and wilt thou beare false wirtnesse against thy Prince? thou mayst not think ill of the King, no nor in thy heart, much lesse shouldest thou dare to speak ill of him with thy tongue.

After thy Prince hath often protested his zeale to Religion, and in a solemne manner called God to wirtnesse those Protestations, and desired God to blisse him according to his true meaning therein, and his people to defend, and serve him no longer, then he shall count a count in such resolutions; wilt thou still thinke and say that he doth but dissemble; good God, what is become of cleare conscience which bindes us to beleve the best of every man, if we have evident proofes to the contrary.

Erises. But the King calls in the popish party to ayde and assist him; and is not that an evident convincing proofe that he is popishly affected?

Ireneus. No, for first His Majesty was very cautious, and tender in this point, and did not admit them of the popish party to ayde and assist him in his just cause (which never Prince had juster,) till the opposite party had admitted Papists, Brownists, men of all professions to aide and assist them in the most causelesse and unjust warre that ever Subjects maintained against so good a King, the mirrour of Princes for piety, justice, and clemency.

Secondly,

Secondly, it cannot be denied but the Papists are His Majesties Subjects, and therefore stand as deeply obliged to venture their lives and fortunes in his just defence, when they shall be required, as any of his Protestant Subjects; otherwise their case in point of subjection were not only different, but much better then the case of Protestants.

Lastly, we read that *David* did not refuse the assistance of an *Amalakite*, because he was an *Amalakite*, nor did the wounded man refuse the *Samaritans* wine and oyle because he was a *Samaritan*, nor did *Henry* the fourth the late French King, while he was yet a Protestant, refuse the assistance of those many French Papists, who put their blood in affording his Crown; nor doe the united Provinces reject the auxiliary help of Popish Regiments, so long as they are secured of their fidelity. A Christian if he hap to fall into a deep pit, will not (I suppose,) refuse the aide of a Turk to help him out, lest perchance he perish before a Christian come by that way; a sick patient will not refuse to take Physick of a Jew or Papist, because he is a Jew or Papist, and I know no reason either in Law or just Policy, why if His Majesty should be deserted of the Puritans, He should refuse the ayde of the Papists to defend His just right; it is the action that justifies or condemnes the person, it is not the person that justifies or condemnes the action, and if the Papists do what befits their duty to their Sovereigne, they shall rise up in judgement against those that undutifully oppose their Sovereigne. Yet I am very confident had not the adverse party led the way, by admitting a number of Papists, both English, French, and of other Nations to assist them, His Majesty would never have admitted of their assistance, unlesse extreame necessity should have urged him thereto. And I am as
verily

verily perswaded that His Majesty's constant intention, and the aimes of all, by much the greatest part of all the Nobility, Gentry, Clergy and others about the King, that shew themselves in this cause for him, is not to alter the Protestant Religion established in this Church, but to preserve it inviolable from the innovations of all Schismaticall and factious Spirits, and to maintain our ancient blessed primitive uniformity of Doctrine, Discipline, and Liturgy, which so long has been the glory of ours, and Envy of other Churches.

Erises. But the two Houses of Parliament have declared our Warres to be Lawfull, and whatsoever they by their Declarative Votes doe declare and determine to be lawfull, that we must account Law, else of necessity we shall runne to confusion?

Irenæus. If whatsoever they declare, is to be admitted as a Law, then either because they find it so in the Common, or Statute Law, or else meerely because they declare it, not the latter, for

First, they being but men of fallible judgements, it is possible they may be deceived in their Declarations, and Declare that to be right which is wrong, that to be Law which is lawlesse, except they will suffer their declarative Votes to be regulated and warranted by some certain known Law formerly constant and approved.

Secondly, if their declarative Votes be Law, meerely because they declare them to be so, and we are bound to be governed by them, then the government depending upon such Votes, must needs be arbitrary, for what can be more arbitrary then to sit whilst they list, and to vote for Law what they list, can there be a more absolute power and government according to bare will, then to determine right

or wrong, as they shall please to call it? should we the free-borne Subjects of *England*, submit to this new devised way of government by Votes, and Ordinances which no body ever heard of, or could know before they were voted? we should be in worse condition then *Turkish Slaves*, whilst they are at the mercy of one, we at the pleasure and command of hundreds, to dispose of our Lives, Liberties, Estates, and whatsoever else we may call ours, according to their humours, or free Votes bounded by no Law, but that of *Sic volumus*.

Yea we should have no foundation of any Laws but their will, before which, all Statutes, Records, Judgements, Customs, Lawes whatsoever, must vanish away, if they say that it is for the honour of the King, by all possible meanes to make him odious to his people, then that's the Law: if they say that the taking away of his Ships, Forts, Magazines, Money, Ammunition, is for his defence? then that's the Law: if they say that all who are ready to venture their lives and fortunes for the King, are Traytors, then that's the Law: if they say it is for the Liberty of the Subject, to imprison him without law, for his immunity and propriety, to lay violent hands upon his person, and to plunder his Goods, then that's the Law: if they say it is a privilege of Parliament to deny all but themselves freedom of Voting, then that's the Law: if they vote that there are no Tumults, when a multitude of people gather themselves together before the Kings Court in a tumultuous way, then that's the Law: if they say they have no by-ends of their owne, when they would advance themselves into all places of Honour or profit in Court, City, Country, then that's the Law; and so all Lawes, all Priviledges whatsoever, must be resolved into this Supream Law, their Will.

Wills. And can there be any Government imagined more arbitrary then this.

If it were a fitne in one to labour to introduce such a forme and manner of Government amongst us; how it E. S. can be tolerable in many to practise it, I doe not yet understand, when the doing of a thing is more then the labouring or attempting to doe it. The Apostle hath a cutting question, and I wish some whom it neerely concernes would apply it. *Thou that condemnest another and dost the same thing, thinkest thou this, that thou shalt escape the judgement of God. Rom. 2. 3.* Thou that condemnest one for attempting to bring in an Arbitrary Government, and dost thy selfe actually introduce it, how canst thou looke to escape the like judgement, which thy own tongue hath pronounced to be just?

Secondly, if such an unerring and boundlesse power, doe lawfully and of right belong unto both Houses of Parliament, that their mere Declaration can make that to be a binding Law without appeale, which they declare to be Law; I wonder they were so unwise, as not to challenge it before, or that they found it out no sooner, it would (as one wittily observe) have spared the trouble of getting the Kings assent to many Bills. Why was not *Strafford* kill'd with an Ordinance? the Bishop discharged out of the Lords House with an Ordinance? this Parliament made everlasting by an Ordinance? What du'l unlearned men (as he goes on) were *Sir Edward Cooke, Phillips, Elliot, Digges*, &c. that could never find or devise this knack of forging new Laws in former Parliaments?

Fourthly, were it Law whatsoever the two Houses declared, then could they enact new Laws without the King, and so the well tempered, and admirably ballanced Govern-

ment of this Kingdome, wherein all the three Estates are thers after a sort, and in the same order, might at the pleasure only of two of them be dissolved. But it is not equall that two of the Estates, should judge by no Rule five their own Votes, or that they should be allowed, to be the sole arbitrary Judges both of Justice and Policy without the third: this must of necessity make the third to stand for a Cypher. That the two Houses are distinct parts of the Parliament is acknowledged; but that they have the power of the whole in right (though it hath been executed upon us in fact) must be denied, unlesse we will grant that they can make an Act of Parliament without the King.

In former Ages, and ever since Parliaments were in use (if I be not misinformed, for I am no studied Lawyer) the *Jus Statutorium* or Statutory Lawes, were *constituta*, settled and established by the King and both Houses of Parliament, in which the reasons of making those Lawes, were most in the debating and voting of both Houses, and the Royall Assent to them was left to the King, with a *Le Roy veut*, or his dissenting from them, not perempory, but with a modest answer *Le Roy s'avisera*, which modest dissent was of sufficient authority to make a Bill of both Houses invalid. And how the King hath lost that right, and what new Lawes are found out destructive to that Prerogative, I never yet read, nor ever shall, unlesse some new Ordinance or bare Vote, can pretend to such an unwarrantable power.

Finally, if their bare Votes, be more binding, and of greater Authority then the Kings Proclamations, then are their words above the Kings, and their power and authority above His, and not His above theirs, and then Saint Peter

was

was mistaken in telling us that the King is **Supream**, 1. *Pet.* 2. 13. And we are all forsworne in taking the oath of Supremacy to the King, and no unto them, and so are they, for it was enacted, *Anno 5, Eliz.* That every Knight, Citizen, and Burgeſſe in Parliament ſhould take the ſame oath, and unleſſe they took it, they ſhould not be admitted Parliament men, or have any voice there.

Either then the Houſe of Commons hath taken it, or not (if they have not taken it) they are not Parliament men, nor have any voice (if they have taken it) unleſſe they will forſwear themſelves and deny God, they muſt continue ſubjects ſitting in the Parliament Houſe, and be under the King as ſupream and conſequently, either their words, nor authority can be above His, nor can they Enact any Law without His aſſent.

But ſecondly, If they pretend the former, That they have an Expreſſe Law to warrant all their Declarations, Votes, and Ordinances to be Legall, they doe very ill, that they doe not ſhew it unto the King, who profeſſeth, that the very ſhewing of it, ſhould ſatisfie him, and that he cannot be ſatisfied till they ſhew it, will they (rather then ſhew ſuch a Law) diſpleaſe the King, hazard their Religion, the Peace of the Kingdom, and the Lives and Soules of many in a bloody Warre?

Briefly, Either there is ſuch a Law, and they will endanger King, Kingdom, Lives, Goods, Religion by a Bloody, Civil, Deſtructive, unnatural Warre, rather then ſhew it, which would argue them extremely uncharitable; or elſe indeed there is no ſuch Law for them to declare, and then their Declarations are not Legall, and by conſequence we are not bound to obey them.

I will conclude this point with ſome Obſervable paſſages

passages out of His Majesties Answers to the Declarations and Remonstrance of the two Houses of Parliament, is first out of that Answer of His to the Declaration of both Houses touching the *Militia*, wherein they pretend that they were necessitated, to make such an Ordinance for settling the *Militia*, warranted thereunto by the Fundamentall Lawes of the Land.

They may doe well (saith His Majestic) *to tell Our good Subjects what those Fundamentall Lawes of the Land are, and where to be found, and to mention one Ordinance from the first beginning of Parliaments to this present Parliament, which endeavoured to impose any thing upon the Subject without the Kings Consent, for of such all the inquiry that we can make could never produce us one instance, and if there be such a secret of the Law which hath been hidder from the beginning of the world to this time, and now is discovered to take away the just legall Power of the King, we wish that there be not some other secret (to be discovered when they please) for the Ruine and destruction of the Liberty of the Subject: for no doubt if the Votes of both Houses have any such authority to make a new Law, it hath the same authority to repeal the old. Then what will become of the long established Rights and Liberties of the King and Subject, and particularly of Magna Charta, will be easily discerned by the most ordinary understanding.*

Secondly, out of His Majesties Answer to the Declaration of both Houses concerning *Hu^m. May 4. 1642.* The power of Parliaments is great and unlimited, but it is only in that sense, as we are a part of the Parliament, without us, or against Our Consent, the Votes of either, or both Houses together must not, cannot, shall not (if we can helpe it for Our Subjects sake as well as Our Own) forbid any thing that is en-
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In what a miserable insecurity and confusion must we necessarily and inevitably be, if the Sovereigne Legall Authority may be despised by Votes, or Orders of either, or both Houses.

Thirdly, Our of His Majesties Answer to a Book Entituled, *The Remembrance of the Lords and Commons*, May 19. 1642.

There cannot be imagined a greater Violation of our Priviledges, the Law of the Land the Liberty of the Subject, and the Right of Parliament, then the Votes past in the House, March 15. 16. One of which Votes was (and there need no other to destroy both King and People) That when the Lords and Commons shall declare that the Law of the Land is, the same must be assented unto, and obeyed; that is the Sense in few words, where is every Mans Property? Every Mans Liberty? If the major part of both Houses declare, that the Law is, the younger Brother shall inter, what is become of all the Families and Estates in the Kingdom? if they Declare, that by the Fundamentall Law of the Land, such a ratiſation, such an authorized word, ought to be punished by perpetual imprisonment, is not the Liberty of the Subject, durm the bene p^{re}sent dileſſe?

1. They Vote the Kingdom is in distresse, then they Vote that by the Fundamentall Law of the Land the ordering of the Militia must be left to their disposal.

2. They Vote, that the King intends to levy warre against His Parliament, and then they Declare, That whosoever shall assist Him, is guilty of high Treason.

We admonish both Houses of Parliament to take heed of enclining under the specious shewes of necessity and danger, to the exercise of such an Arbitrary power they before complained of, the advice will do no harme, and we shall be glad to see it followed.

Erasmus

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1. They Vote the Kingdom is in danger, then they Vote that by the Fundamentall Law of the Land the ordering of the Militia must be left to their disposal.

2. They Vote, That the King intends to levy warre against His Parliament, and then they Declare, That whosoever shall assist Him, is guilty of high Treason.

We admonish both Houses of Parliament to take heed of enclining under the specious shewes of necessity and danger, to the exercise of such an Arbitrary power they before complained of, the adwise will do no harme, and we shall be glad to see it followed.

Erasmus

Erises. But Our Libertyes and Estates are entrenched upon, and We must not be so basely degenerous, as to suffer them to be betrayed, but we are bound to defend our lawfull Libertyes and Estates even against the King himselfe, which we inherit, as tru'y from our Ancestours, as the King inherits any thing he hath.

Irenaeus. What hath the King denyed which concerns our Liberties, and are the undoubted securities of our safety, freedom, and happinesse under the Regiment of a just and unquestionable Monarchy?

Are not our Rights and Propertyes already established
this Parliament, by such Acts of Grace as could never
find Presidents from his Ancestours? are not Monopolies
upon what pretences soever, Projects, all illegall Taxes,
arbitrary Courts of Justice, *High Commission, Star-
Chamber, Marshalseyes*, &c. &c. ever lim'd and extirpated;
and doth not His Majesty in His Message to both Hou-
ses *March 1. 1643.* move them, That they would with all
speed fall into a serious consideration of those particulars;
which they should hold necessary for the present and
future establishment of their Priviledges, the free and quiet
enjoying of their Estate and fortunes, and the Liberties
of their Persons. And in His Majesties Answer to the Pe-
tition of the Commons, *Jan. 18. 1641.* doth he not call
God to witness, That the preservation of the Law and Li-
berty of the Subject, is, and shall alwayes be as much His
Majesties care and Industry, as his Life and the lives of His
loved Children. And in His Majesties Speech to the
Commons, *March the ninth 1641.* doth he not thus pas-
sionately expostulate with them. *What would you have?
I will not deasse to passe any Bill for the ease and Security of
my Subjects; there is a judgement from Heaven upon this
Kingdom*

Kingdom, if these Distractions continue. God so deale with me and mine, as all my thoughts & intentions are upright, for the preservation of the Lawes of the Land.

And are not these pledges sufficient to dissolve all jealousies, if ever we mean to be satisfied, and to assure us that we may live safe and free under the Government of so just, gracious and Religious a Prince, if working herds (*quibus quietamovere magna est merces*) who love to fish in troubled waters, and think the disturbance of the publique Peace a sufficient hire to set them on work.) did not purposely for their owne advantage, and by-ends, labour to cast the mist of causelesse feares and jealousies, before the People meerely to startle them into a posture of warre, *As that printed relation of the Taylors in Moorefield, of the Stable of horses under ground, of the Danish Fleete, that was discomfited by Van Trump long since; besides other strange horrid treasonable discoveries, and Letters which came God knowes from whence? that were purposely feigned and devised, to hinder a right understanding between the King and his People, and to embroyle the Kindome in a Civill Warre.*

Whereas we seele to our just grieve, and hope we may truly affirme, without danger of being branded with the blacke Stigmaticall name of *Malignants*, that there was nothing formerly suffered by us, the free borne Subjects of this Land; which hath not upon the same pretences, but with lesse colour been since acted and exceeded by those who were called together to ease us of the like sufferings, for our Estates have been taken away without our consent, in defence of our Property; our Persons have been imprisoned without just cause, in defence of our Libertyes; and our condition (as one observes at this present, is so farre

from being bettered, that 'tis grown extremely worse, as if all the evils of former times, had been Epitomized into the volume of two yeeres last past; and the Quintessence of ours and the former Ages grievances had been extracted, and given us at one draught. See the Complaint to the House of Commons

Exists. But may not the two Houses of Parliament who are the representative body of the Kingdom, summon and authorize all the able freeborn Subjects of the Land, to take up Arms against the King in maintenance of them and their Priviledges when they are deserted, and their Priviledges infringed by the King, which is just the case of the two Houses of Parliament at this present.

Irenaeus. First the King hath not deserted His Parliament, but was forced to leave His Pallace at *White Hall*, and to take shelter elsewhere, because His sacred Person could not there be safe, from the danger-threatening uproares, and tumults of a heady misguided, masterlesse multitude, and it was not fit to make Majesty so cheape, and despicable, as to expose it to the base and barbarous affronts of a seditious huddle.

Secondly, so firre is His Majesty from infringing any just or undoubted Priviledge of Parliament, that in his answer to a Booke intituled *a Remonstrance of the Lords and Commons* May 19. 1642. He desires his actions may no longer prosper, when they shall be directed, to the maintenance of all the Rights, and freedom of Parliament, in the allowance and protection of all their just Priviledges.

And let the two House of Parliament exhibit a list of the Priviledges, not only belonging to the being and efficacy of Parliaments, but to the honour also and complement of them, and clearly declare them to be true, just and undoubt

undoubted Priviledges, and I am confident they shall have His Majesties allowance and approbation; yea I dare be bold to say, they shall have observance also from those that are nick-named *Malignants*; but till they be declared by them, how can they be observed by us? reason ought to be satisfied, before obedience may be expected, especially in point of such high concernment, wherein our Laws, Liberties, Estates, yea even our very soules are interested, and though we be falsely Christered the Popish Army, for discharging our Loyalty and duty to our Sovereigne; yet thus farre at least we are Protestants, that we will not resigne up our understandings to their infallibility; and in a Popish way yeeld blind obedience to all their Votes, before we know them to be just and legall, which we have more reason now to suspect then ever.

First because the two Houses of Parliament now sitting have disclaimed the legall way of proceeding in former Parliaments, according to the warranted rule of the Law, beside that which is recorded in their owne breasts.

2. Because we see that a number, the farre greater number of approved able men, whose Ability, Wisdom, Moderation, Judgement, and Sufficiency, were the only inducement of their Countries Elections, have withdrawn themselves, as unusefull Members of that Body, out of a dislike of such disorderly unwarrantable proceedings, and for that they were debarr'd of those two grand Priviledges, which conduce to the very being of Parliaments, *viz.* Liberty of Speech, and Liberty of Acceffe, that they could neither freely come, nor freely Vote, being from without menaced, affronted, assaulted by the Rabble, and within censured, fined, imprisoned, or banished for discharging their duty to God, their King, & Country, by such of their own fellow-Mem-

bers, who make wit, and the Kings favour, hainous crimes ; Loyalty, Treason; and Conformity, Popery.

Erastes. But they are the representative body of the Kingdom, and we whom they represent are bound to be in a readinesse upon their summons, to secure their actions from neglect and contempt.

Irene. Suppose one whom we Elect a Burgesse of Parliament, or a Knight of the Shire speak, or endeavour to enact Treason, doth our Election bind us to secure him ? or will future Parliaments blame us hereafter for giving up so great a Delinquent to the Justice of the Law ? I presume they will not.

The Commons doe not represent the People in any thing which the Law hath not trusted to them ; but neither the Law of God, nor the Law of Nature, nor the *Law* of the *Land* have trusted the Subject with the Sword, or with a power of making Warre agunst their Sovereigne, in whose name, and by whose authority onely the Sword is to be drawn ; therefore if the representative body attempt any such lawlesse, and unlawfull Act, we may not second or abet them in it, but must mainly oppose them to the utmost of our power.

Non tribuimus dandi regni atque imperii potestatem nisi Deo vero, qui dat regnum calorum solis potestatem regnum vero terrarum et populi

First the Law of God, that teacheth us to feare God and the King, and not to fight against Him, *Prov.* 24. 21. 30. 31. And it tells us, That all who live under a Monarchicall Regiment, ought to submit unto the King as Supream, *1 Pet.* 2. 13. And it puts no difference between good and bad Princes in point of subjection, for, *God* (saith *Saint Augustine*) that gave the Empire to *Augustus*, a wilde and gracious Prince, gave it to *Nero*, a very monster of men; He that gave it to *Constantine*, a most worthy Christian Emperour, gave it to *Julian* a most damnable Apostate, And he the

the Magistrate Jew or Gentile, Christian or Heathen, good or bad, he hath his authority of Government from God, the supreme Moderator and Governour of the whole World. In respect whereof we are bound for Conscience sake towards God to be subject unto him.

Must Masters be submitted unto notwithstanding their curtnesse? 1. *Pet. 2. 18.* And may Princes be oppugned it too thin? 2. Israel rose not against *Davia* in the cause of *Uriah*, nor against *Solomon* in a worse cause, Idolatry; nor against *Saul*, though a Murdering and Massacring King. All the Kings of Israel were open Idolaters; *Jehu* not excepted, and the greater part of the Kings of *Judah*, four ten of them were likewise plain Idolaters, yet no Priest or Prophet taught the People to resist one of them.

God hath expressly commanded all Inferiours to be subject to the Superior Magistrate. Now subordinate Magistrate, though they be Superiours to others; yet in a Monarchy they are all inferiour to the King; for as in *Logick*, that *Genus* which is called *subalternum*, though it be *Genus* in respect of those *Species* that grow under it, yet in regard of the *Genus* above it is but a *Species*. Even so Subordinate Magistrates what place soever they hold in relation to their inferiours, in respect to their Sovereigne they are but meere Subjects, and owe subjection to Him as far as any other, and no Earthly Court can licentise inferiours of what rank or quality soever, to violate or frustrate that Heavenly precept which commands them to be subject to their Superiours. *Rom. 13. 1.* and not to resist Him, *1. Pet. 2. 13.*

Be the Cause never so just (if the Person be not authorized by God to draw the sword) they be no just and lawfull Warres, but barbarous and rebellious uproires. For say when Malefactors are put to death, may private men

& impis facit ei placet, cui nihil iniuste placet.
Aug. de Civ. Dei, lib.

5. cap. 21.
Et paulo post qui Marius, ipse Caius Catani qui Augusti o. n. se. Neroni &c. regnum dedit.

pur them to death without the Magistrate & certainly they may not, and if they doe, be they not Murderers) though the crime which they revenge be worthy of death) doubtlesse they be, then if in private punishments men may not presume without his authority that beareth the Sword, much lesse may they venture upon open Warres, except they be directly warranted from him that hath the sword from God, to take vengeance on the wicked; least of all may they beare Armes against their Sovereigne. Princes they beare the sword over others, not others over them, Subjects may be punished by them, they by none but God, whose place they supply.

And as the Law of God doth not trust Subjects with the sword against their Sovereigne, no more doth the law of Nature: for though the law of Nature teacheth us to defend our selves from violence and wrong, (as *Boroughs* objects) though it be the most naturall thing in the world, for every thing to preserve it selfe; naturall for a man to preserve himselfe, naturall for a community (as *Bridges* alledges to justify the Lawfullnesse of that Warre which the two Houses of Parliament sitting, have raised and levied against the King :) yet by the dictate of nature, neither Man nor Communities of men are taught to defend and preserve themselves in a disorderly, and unnaturall way; now it is against Order, and a Monster in nature and policy, for a Child to chastize his Father, for a Servant to punish his Master, for a Souldier to fight against his Generall, Colonell, or Captaine, no lesse disorderly and unnaturall is it for a Subject to fight against his Sovereigne, who is *Parens Patrie* the Father of the Common-wealth: he that saith the Law of Nature gives power to Inferiours over or against their Superiours, though for selfe preservation is fitter

to be purged from Frenzy, then answered by Divinity.

If the case were so that either the Parent must kill the Childe, or the Childe the Father, no man, I suppose, in his right wits, but would think it becommeth the Childe, who hath his being from his Father, rather to suffer, then to destroy the Fountain whence he originally sprang; and yet Parents have not so great power over their Children, as Kings over their Subjects. Kings have power of Life and Death, which Parents have not; and the Masters power over his servants, is lesse then the power of Parents over their Children.

Lastly, Neither doth the Law of the Land entrust Subjects with the Sword against their Sovereigne, for by the Law of the Land, all we that be Subjects, above the age of eighteen yeares, are bound to sweare Allegiance to our Sovereigne Lord the King. There was an O then enacted, *Ann^o 3. Jacobi*, wherein he that keepest sweare, That he will bear Faith and true Allegiance to His Majesty, His Heires and Successors, &c. And Him and them will defend to the utmost of his power against all Conspiracies and Attempts whatsoever, which shall be made against Him or their Persons, their crowne & dignity, &c. And it was further enacted by Parliament, 7. *Jacobi*, That all and every Person and Persons, as well Ecclesiasticall as Civill, of what State, Dignity, Quality, or Degree soever he or they be, above the age of eighteen yeares, in that Act mentioned, shall take the said Oath.

And if all the Subjects in the Land above eighteen yeares old, have (as by Law they are bound) taken the said Oath, unlesse they will wittingly and willingly forswear themselves, they must with all their power defend the Kings Person and Dignity, and by consequence, they may not oppose

pose either, or doe such things, as may endanger His Person, and lessen His Authority and Dignity.

Neither may they be Newters and sit still suffering others to wrong him; but they must stand up to maintaine his right, and to vindicate his wrong. And they must defend him by purse, bodily service, or what way soever they can, else they are forsworne.

Erises. But may we not sometimes lawfully deny obedience to the Kings verball or Personall Commands.

Irenaeus. Yes in some cases it is not only lawfull, but necessary to disobey the command of the King, as when God commands one thing, and the King in a menacing and threatening way commands another: then that Speech is seasonable. *Da veniam Imperator, tu carcerem, ille Gehennam minatur, Give leave O Emperour, thou threatnest my body with imprisonment, but God can cast both my Soule and Body into Hell, the worst and most darke some Prison of all others.* In such a case we may and must neglect our duty to our Prince, rather then forget our duty to God. *Nam Regum timendorum in proprios Grege Reges in ipsos Imperium est Jovis.* For Kings though they be Superiours in regard of their Subjects, yet are they inferiour unto God. *Omne sub regno graviore regnum est.* Every Kingdom on Earth is under a greater in Heaven. And the Apostolicall Canon, *Rom. 13. 1.* which wills us to be subject to the higher powers before the lower amongst men, doth by *Analogy* instruct us to be principally subject to that highest power, by whom the Powers on Earth are ordained, and set in Order one above another.

When *Pharaoh* King of *Egypt* commanded the *Hebren* Midwives to strangle the *Hebren* Male Children in the birth, they feared God and did not the command of the King,

King, *Exod. 1. 17.* when Nebuchadnezzar having erected a Golden Image, commanded all people to fall down and worship it, under penalty of being cast into the hot furnace; Shadrack, Meshach and Abednego refused to do the command of the King, because the Law of God forbade them to do it, *Dan. 3. 18.* when Darius had signed a Decree, That none should make any Petition to God, save only to him for certaine dayes; Daniel, notwithstanding the Decree, went into his House, and his Chamber windows being opened towards Jerusalem, kneeled upon his knees three times a day, and prayed to his God, contrary to the signed Decree, and expresse command of the King, *Dan. 6. 10.* The seven Brethren, though Antiochus Epiphanes, or rather Epimanes, threatened to torment them with scourges and whippes, yet they would not, by all the threatnings and exquisite torments that he could use, be compelled to taste of Saine flesh, because it was against the Law of their God, *1 Maccab. 7. 1.* And Julians Christian Souldiers though they readily fought his Battells, and obeyed him when he commanded thing lawfull; yet, *Quando venissetur ad causam Christi, non agnoscebant Alium Psal. nisi illum qui in Caelo erat, quando volebat, ut Idola colerent, 124. aut thurificarent, praeponerant illi Deum;* When they came to the cause of Christ, they would acknowledge no Lord but him that is in Heaven, when he commanded them to worship Idolls, to sacrifice and burne Incense to his Idoll gods, they preferred God before their Prince. And the case was clearly resolved long since by the Apostles. That when the Kings command crosseth the command of God, then it is absolutely better for us to obey God than man, *Acts 5. 29.* Yet here we must take heed, first that we be not led by fancies, and groundlesse imaginations, but be sure that what the King commands, is against Gods Law.

F

Secondly,

Secondly, That denying obedience, we doe it in all humilitie, without scandall and contempt.

Thirdly, That yet we be content to obey passively, without resisting the higher power.

For, even then, when we cannot with a safe Conscience obey the command of the King, because we have received a counter-command from God, we must be subject to him notwithstanding, and not dare to rise up against him, *Nam qui insurgit in Christum Domini, insurgit in Dominum Christi*, For he that riseth up against the Lords Anointed, riseth up against the Lord by whom he was Anointed. The least Injury, Indignity, Affront or Disgrace that is done to the King, whom God hath appointed his immediate Deputy and Vicegerent on Earth, to Rule and Govern in his place, doth in the reflex, extend and redound to God himselfe, the Author of all Rule and Government, and by consequence, it must needs be an hainous and hatefull sinne in the sight of God, for Subjects to rise up against their Sovereigne, though a *Nero*, a bloody persecuter of the Faith, much more against a *Charles*, a gracious Defender of the Faith.

Ambr. lib. 3. cap. 33. Saint *Ambrose* highly commended the people of *Milaine*, when there was hot persecution in the City, for the *Voxes* they then used, *Regimus Auguste, non pugnamus*, We entreat, O Emperour, we fight not: perhaps you will say, they durst not; yes, *Non timemus, & tamen regimus*, We fear not the Emperours Forces, yet we entreat. The like Speech Saint *Bernard* useth in an Epistle of his to *Lois* the French King, *Stabimus, & pugnabimus usque ad mortem (si ita oporterit) pro matre nostra Ecclesia, sed Armis quibus licet, non sentis & gladiis, sed precibus, fletibusque ad Deum*, We will stand and fight for our Mother the Church

Of

(if need be unto death) with such Armes and Weapons
as lawfully we may, not with Sword and Target but with
Prayers and Teares unto God. And Tertullian his Apo-
logerick tell us, That the Ancient Churches did continue, when
they had Heavens and Persecuting Emperours to rule over
them, yet they choose rather to suffer, then to take assistance by
force of Armes, though they lacked neither numbers nor strength
to withstand the Emperours Forces.

Tertul. Apol.
cap. 37

And that the doctrine of resisting Princes was never
taught by the ancient Fathers, you shall be more confident-
ly averred by some Learned Divines of our Church, who
were best seen and verifi in their Writings. No Orthodox
Father did by Word or Writing teach resistance, for
the space of a thousand yeares after Christ, *Field lib. 5. cap. 19. Sed. 19.* The worthy Fathers and Bishops of the
Church, perswaded themselves that they owed all duty to
Kings, though Infidels and Heretickes, *Field lib. 5. cap. 45.*
The Doctrine which teacheth resistance of Princes is wick-
ked, having neither Scripture, Councell, nor Father which
avowed it for a thousand yeares. *Bilsons* true difference
between Christian Subjection, and Unchristian Rebellion
part 3. in whom we often meet with these or the like pas-
sages. Whether Princes be with God or againt Gods ei-
ther we must obey their Commandement, or abide the pen-
ishment (if we will be Subjects.)

Princes must be obeyed, or endured; Either obedience
to their Wills, or submission to the Sword is due by Gods
Law.

God is not served with resisting the Sword, but with du-
tiful obedience to Magistrates, when their commands agree
with his, and in case their Wills be dissonant from his, then
is he served with meeknesse and readinesse to beare and
forbear.

abide that which earthly powers shall inflict, this was the cause why the Church of Christ alwayes rejoyced in the Blood of their Martyrs, patiently suffering the cruell rage, both of Pagans and Arrians, and never favoured any tumults of Rebels assembling themselves to withstand authority.

That conceit then of *Bridges* is fond, foolish, and unwarrantable, who thinks that many Christian Martyrs in the Primitive Church, would so farre have resisted the *Roman* Emperours, that they would have saved their own Lives, if the Senate of *Rome*, or the People of the *Roman* Empire would have joyned with them. *Tertullian* disclaimes this fancy with an *absit* ? God forbid that we Christians should defend our selves against our Emperours by humane force. There can be no Warre made against us but we are fit and sufficient for it (if we would seek revenge of our persecutors) but our Christian discipline and profession is rather to be slain, then to slay, *Tertul*, *Apologet*, cap. 37. Saint *Cyprian* expresseth the same Christian profession, *nos laesos divina ultio defendet, inde est quod nemo nostrum, se adversus injustam violentiam, quamvis nimis & copiosus, sit noster populus ulciscatur* ; We leave vengeance to God, and hence it is that none of us doe seek to revenge our selves against unjust violence, although our number be exceeding great, more then the number of our persecutors.

*Cyprian ad
Desiderius.*

Eriles. But what if the Kingdom see it selfe in imminent danger, most likely to be ruinated by the King and His Cavaliers, may it not stand up to defend it selfe by force of Armes ? Is not *Salus Populi Suprema Lex* ? The safety of the People the Supreme Law ? The preservation of the Kingdom and of the Religion, Laws and Liberties thereof, to be preferred before subjection to the King ?

Answer. First, God be thanked, that is not our case, for

as that Gentleman of quality who wrote the *Review of the Observations upon some of His Majesties late Answers and Expresses*, well Observes; No King of this Realme hath granted more for the good, ease, benefit, and behoofe of His Subjects, then His Majesty hath done, had we thankfull hearts to acknowledge it, witnesse His damming of Ship-Money, Monopolies, &c. And His yeelding to the regulation of whatsoever further grievance should be found in the Commonwealth.

What more gracious motion could be made by a Prince to His People, then that which His Majesty made in His Message to both Houses of Parliament, Jan. 20. 1641. *wherein He moved them with all speed to fall into a serious consideration of these particulars; whether they should hold necessary for the present and future establishment of their Privileges, the free and quiet enjoying of their Estates and fortunes, the Liberties of their Conscience, the security of the true Religion now professed in the Church of England, and the settling of Ceremonies, in such a decent and orderly manner, as might take away all just occasion of offence.* Is this the gracious motion of a King, that intends the ruine and subversion of His Kingdom? God be Judge between Him and them, that would fasten so false an infamouse aspersion upon a Prince unparalleled for clemency and piety.

Secondly, Though the King should in a Violent, and Tyrannicall way goe about to oppress His People, though really and truly there were such dangers threatened both to the Church and State (as is pretended;) yet unlawfull means (such as is resisting the Supreme Magistrate in a free Monarchy) to defend our selves from unjust violence and oppression ought not to be used. Suffering is commanded and commended unto us in the Scripture; resisting is forbidden;

bidden, *Rom. 13.2.* Our Saviour foreshewing his Disciples that they should be brought before Kings and Rulers, and be cruelly entreated, saith not, and he that first Rebels, but he that endureth to the end shall be saved, *Mat. 10.* And again, not with violence resist them, but in patience possesse your Soule, *Luke 21.* This is the way for all Christian Subjects to conquer Tyrants, not to resist the Supreme Power though Tyrannically abused, least we be damned, but rather to suffer that we may be Crowned. When either we cannot escape by flight, or abate & stop the fury of Tyrants, by our Teares and Prayers to God. The Ancient Fathers allowed no other Weapons to Christian Subjects against persecuting Tyrants, but only these foure,

Fides, & Lachrymæ, patientiam, & fugam.
Prayers, and Tears, Patience, and Flight.

Præf. Field.
2. 45.

And it is observed by the Learned, that the Churches never more flourished then in the Primitive times, when they used these defensive Weapons only, reserving vengeance unto God, to whom only it belongs to take order with wicked Kings, since he alone is above them, and therefore he alone hath power to punish them. The royall dignity of Kings is so inseparably annexed to their sacred Persons, that although they doe offend in Person, yet no vindictive power can be exercised against their person, without violation of their Royall Dignity, which although it be not transcendent to all Laws of Justice to be done, yet it is transcendent to all Lawes of Justice in respect of punishment by man when Justice is not done. And in that respect *David* a King truly said to God, *against thee only have I sinned. Psal. 51. 4.* he had sinned against others, yet so

as none might take vengeance of him for his sinne but only God. This I am sure was the Divinity of Saint *Ambrose*, *Chrysostome*, and others of the Ancient Fathers, *Reges nullis ad peccatum volunt legibus, tunc imperii potestate*. Kings are safely guarded by their Imperiall power, from the penalty of humane Law. *Ambrose* *Enarrat*, in *Psalm*. 51. *Rex et si Leges in potestate habet, ut impie delinquant, Deo tamen subditus est, & sciet illi in peccatum, quod Deum expediet ultorem*. A King is not bound to the Laws so farre in His power, that He is not punishable by them, but may breake them without controulment from man, yet he is subject to God, and it may suffice that He hath God to take vengeance of him, to whose will by the abuse of His power, He makes himselfe liable. *Chrysostom* in *Psalm*. 118. *Quod 117. Nemoligit Regem, qui in potestate est, nisi Reges inquit prevaricatione sua se ipsos non habent. Prudentia enim dicitur et impiorum, quod non possunt infringere*. None may break the Laws of Kings without punishment, but Kings themselves, who may not be charged with the transgression of their own Law. But it was wisely said, that he is an ungodly man that sayeth to a King, *Thou dost wickedly*. *Cyrill*. This was then taught for good Divinity by the Ancient Fathers, and yet they were no Court *Parasites*.

Lastly, be it so that *Salus Populi Suprema Lex*, the safety of the People, is the Supreme Law, yet experience tells us that it is safer for a people not to resist, then to resist their Prince by force of Arm, for what mischief is not *Civill warre* accompanied with, it never comes alone, but is accompyed with Rapine, Spoyle, Robbery, Plundering, and all imaginaty evill, whereas due subjection to the Prince, is the cause of tranquillity, peace, order, prosperity, and happinesse in the State, and the
only

only way to preserve the Common-wealth in safety.

Theopompus King of *Sparta* speaking to one of his Domestick servants, who told him that the *Spartan* affaires did prosper well, because they had Kings who knew how to governe well; nay rather, saith he, because the People know well how to obey; imputing the long continuance and flourishing of the *Spartan* State, not so much to the skilfull Government of their Kings, as to the ready subjection and willing obedience of the People. And so long as we demeaned our selves as Loyall Subjects, God blessed us with abundance of Peace, and temporall felicity, even to the envie of all other Nations round about us. But since (some out of an humour and desire to be Subjects without subjection, have turned disloyall to their Sovereigne, and risen up in crimes against Him) our treasures have been exhausted, our Lands mightily impoverished by the expensive oppression of Warre, and this once flourishing Kingdom and Nation is in danger to be brought unto utter ruine and desolation, (if God doe not timely cease these seditious Tumults and Commotions, by instilling Loyall and Peaceable affections into the hearts of those who have occasioned or abetted these Tumults.

Erises. But did not the people of *Israel* resist *Saul* their King by force of arms when they rescued *Jonathan* out of his hand, 1 *Sam.* 14. 45. Did not *David* take up defensive arms, when he gathered six hundred Souldiers together to defend himselfe against the violence and fury of *Sau*, his Liege Lord and Sovereigne? and when, as may be supposed, he would have kept *Saul* out of *Keilah* by forcible resistance if the *Keilites* would have stood to him, 1. *Sam.* 23. 12. Nay doth not the Scripture say expressly that he came with the *Philistines* against *Sau* to Battaille, 1. *Sam.*

Sam. 12. 19. Did not *Elisba* the Prophet bid the Elders of *Israel* use the Kings Messenger roughly, and hold him fast at the doore? *2. Kings 6. 32.* Did not *Isaiah* the High Priest, and fourscore Priests of the Lord that were valiant men, violently thrust King *Manasse* out of the Temple after he became Leprous? *2 Chron. 26. 17. 20.* who in that they are commended for valiant Men (saith *Bridges*) it shewes that their worke was not only reproof, but resistance.

Lastly, have we not warrantable Examples and Precedents from the reformed Churches to justifie carrying up Arms in our own defence to be lawfull.

Answer. To all these alledged Examples I may answer in generally that we Christians ought to follow no mans, no Churches example further then they follow Christ. *1 Cor. 11. 1.* But Christ never taught us either by precept or precept to resist the higher power; he both by Example and Precept taught the contrary; for he left us an example of patient suffering from Authority, not of resisting Authority, *1. Pet. 2. 21. 23.* and when Authority caused him unjustly to be apprehended, and after condemned, he would not suffer *Peter* to defend him against the present Authority with the sword: but bad him put up the sword which formerly he had drawn in his defence, telling him, that he that takes up the sword without depuration from Authority, or against authority though unjustly abused, shall perish by the Sword. *Mat. 26. 52.* admit then that your Testimonies and Examples out of the old Testament did prove it in some case to be lawfull under the Law to take up defensive arms, against Persons invested with Soveraigne Power, can you shew it to be lawfull under the Gospell where suffering is com-

manded and commended, resulting forbidden and condemned, and where Christ's meeke Spirit, nor *Eliab's* revengefull spirit, is to guide us if we would not be misguided, *Luke 9. 55.*

But to answer your allegations more punctually, as you have no prooff out of the new, so you have none out of the old Testament to legitimate and warrant your offensive, defensive Weapons. To begin with your first example.

Though the People were then in arms by *Saul's* owne appointment, when they rescued *Jonathan* out of his hands, yet they did not rescue him out of *Saul's* hand by force of arms.

Exiles. How then did they rescue him?

Jerome. Not with offensive weapons but with persuasive words, *Shall Jonathan dye (say they) who hath wrought so great salvation in Israel? as the Lord liveth, there shall not an haire of his head fall to the ground.* Or as *Junius* and *Tremelius* two famous Interpreters translate the words by way of interrogation, more agreeable to the originall, *An cadere debet ullus e capillis ejus?* ought their to fall any haire of his head to the ground. They appeale to *Saul* himselfe (by these learned Interpreters) whether in Conscience he thought it just and reasonable that *Jonathan* shou'd dye by whose means they were all then alive, charging his Conscience before God that he should rather have resorted to Equity then his rash oath. Thus then they rescue *Jonathan* not by arms but by arguments, (as *Abigail* did *Nabal* her Husband, and the rest of her Household out of the hand of *David*, who had in like manner sworne to cut them all off, 1 *Sam. 25.*) or if the People here pressed violently upon *Saul* in making a mutiny, they cannot be excused, such

Peter

Peter Martin in locum, and so the example is either impertinently alledged, or else being in it selfe irreconcilable, it cannot excuse, much lesse justify your doings.

Your next example or testimony is as little to the purpose as the former, for *David* did not muster or gather six hundred Souldiers together, they resorted and came to him of their own accord; 1 *Sam.* 22. 1. Neither did he make use of their help to defend himselfe against the Violence or Fury of *Saul*; but his way of defence was by flying, and hiding himselfe from *Saul*, not by resisting, nor opposing him. And produce, if you can, one syllable out of the Sacred Story, to shew that ever *David* made offer to resist *Saul*, when he came to invade him.

Ericks. It is more then probable that he would have resisted *Saul*, if the men of *Keilah* would have stood to him otherwise being in *Keilah*, why did he enquire whether *Saul* would come there to seek him? and hearing that *Saul* would not faile to come down, why did he further enquire whether the *Keilites* would deliver him into the hand of *Saul*? Doe not these Questions more then probably argue, That *David* had a mind to remain in *Keilah*, and to defend the City against *Saul* (as Sir *John Dathan* did *Hull* against His Majesty) would the men of *Keilah* have stuck close to him.

Irenæus. No surely, the reason in all likelihood and appearance, why *David* was thus solicitous to know the purpose of *Saul*, and the *Keilites*, was, because he suspected treacherous deceit in the men of *Keilah*. That if he stayd till the King came, they would shut the Gates, and keep him in, till the King should come and apprehend him, and not suffer him to escape by flight, as his usual manner was. For he enquires of God, Will the men of *Keilah* deliver me? Or

as it is in the Marginall reading of the Bible, agreeable to the Originall, *will they shut me up?* Will they take advantage of the Gates and Barres of this walled City, and close-ly shut me up that I cannot have liberty to fly from *Saul* when he cometh? His purpose was to fly out of *Keilah*, and not to defend it if *Saul* came; this made him carefull to enquire whether the men of *Keilah* would shut the Gates upon him, and so hinder him that he could not fly from *Saul*, according to his wonted Custome; There is not then here the least shadow of a prooff for defensive Armes, unlesse we will by an improbable conjecture make *David's* purpose in this place to thwart his constant practice and profession in all other places of the sacred Story, where his durifull submissive behaviour, humble carriage, and speeches full of Loyall respect towards *Saul* are Recorded.

Exiles. But doth not the Scripture in plain termes say that *David* went with the *Philistines* against *Saul* to Battell? *1 Chron.* 12. 19.

Answer. It doth; yet he that will peruse the *1 Sam.* 29. may there read, that *David* went not to Battell against *Saul*, he only went a little way with the *Philistines* that went to battell against him, and the Princes of the *Philistines* had so little confidence of *David's* good will, shon to that effect, that they were earnest with *Achish* their King to send him back as a man not to be confided in, saying, *Take this fellow retorne, and let him not see down with us to Battell, lest in the Battell he prove an Adversary to us*, for where with should he reconcile himselfe to his Master *Saul*, should he not be with the heads of these men? and howsoever he seemed unwilling to be sent back, yet therein (saith *Ozindor*) he did but dissemble and spake other-

otherwise then he thought, he was glad of the opportunity given to returne, sayth *Peter Martyr*, though he flatteringly glozed with the King by pretending the contrary, and to think that *David* had any cogitation or purpose to serve a Forraign King in a Battell against his own King, People, and Nation, is to make him an apparent transgressor of the Law sayth *Willet*, which forbad all kind of Confederacy, with uncircumcised Nations: by this time then I hope you see that *Dauids* Example is impertinently produced to shew the lawfulnessse of making an hostile defensive war against your Sovereigne.

Exiles. What say you to the third Example of *Elisa* the Prophet, who bid the Elders of *Israel* to shut the doore against the Kings Messenger that came to take away his head, and to hold him fast?

Irenaeus. I say that it is no more to the purpose then the former, for what can you inferre from thence more then this? that it is lawfull to hold the doore fast shut against a Messenger, who shall in a violent illegall way come to assault us in our houses, though he come from the King? this no doubt may be done *cum moderamine inculpate tate*. But what if the King should come in Person to assault you, will you doe more then shut the doore? will you take pieces of Ordnance, Guns, Pikes and Pistols, and bid him be gone, or else you will set him away with a powder? should the King in a violent illegall way offer to smite you on the head, you may hold up your hand, and award the blow: But if you strike him again, there is no Law (I think) either of God or man, that would not condemne you for a Traytor in so doing, though you should doe it in your own defence, and how can you be sure, when you come with Muskets and Cannons into the open

open Field against the King, that you shall not doe more then smite him, *hæreses referens* (even that which I tremble to speak) mortally wound his sacred Person, unlesse you can command your Musquets, and Cannons that they should not hurt him, as well as any other. Doe not then palliate your opposition with the name of a meere defensive resistance which may prove so hainously offensive, and contract that guilt of blood upon your Soules, and the whole land, as would draw down Gods vengeance both upon them and it; and will you wrest the command of so great a Prophet (as *Elisha* was) to countenance such a defence, as might in event prove so horridly offensive? *Quod Omen advertat Deus.*

Existes. What say you to the last example of *Azariah* the high Priest thrusting *Uzziah* the King (after he became Leprous) out of the Temple; being assisted with 80 of his Brethren, who are commended for their valour in so doing, 2 *Chro.* 26. 17. 20.

Respondens. I say that I am sorry, to see you go down to the forge of the Papists, there to sharpen your Weapons of defence, for your hostile defensive Warre. The Papists say that the high Priests thrust the King out of the Temple when he usurped the Priests Office, *Ergo* the Pope is above Kings. The reason of their inference is, because no Inferiour hath power to lay hands on a Superiour, and by co-active power, to compell or repell him. You say the same in effect, with a little change of the persons. *The high Priest thrust the King out of the Temple*, therefore it is lawfull for the People to resist Kings? And you can give no reason of this inference, except you acknowledge the Peoples Superiority above the Prince, and then you must dispenge with the oath of Supremacy, and wipe out that Text of Saint

Saint Peter, where he wills you to submit to the King as Supreme, 1 Pet. 2. 17. *Asariah* the Priest, and the rest of the Brethren did not assaile King *Uzziah's* Person, presuming to burne Incense on the Altar of God, neither did they thrust him out of the Temple by force; they withstood him with Word, rebuking him for the breach of Gods Law. It appertains not to thee *Uzziah* to burne Incense, Not with Weapons as your Martiall Termes import, and when the King would not be admonished, but *indignatus*, in a chafe, contemning the Priests admonition, took a Censer in his hand to offer Incense, the Lord then tooke him in hand, and caused the Leprosie to rise up in his forehead before the Priest, then there was no need to bid him depart, the Text saith, *He hastened to goe out because the Lord had smitten him.* God then thrust him out, and the Priests thrust him out, and he was forced to goe on, Gods thrust him out by inflicting the visible punishment of Leprosie upon him, the Priest thrust him out by sharply rebuking him, pronouncing him uncleane, or by admonishing him that the Leprosie was risen up in his forehead, and then being told that the spot of Leprosie was upon him, he of himselfe hailed to goe out.

Exister. But in that the Priests are commended for valiant men it shewes that their worke was not only reproofe but resistance (as *Bridges* observes.)

Irenaeus. And is it no argument of valour, think you, to reprove a King openly to his face; surely, albeit some dreaming Prophets who feare not to despise Government, and speak evill of dignities, have of late by their open rayling against Princes, gone about to make their Persons contemptible, yet in former times they were had in such awfull regard, That it was held a matter of courage, and

*Vise lepra
Sacerdotes
Regem lepro-
sum d'stin-
ne egru den-
dum in ment.
Jole 5. de-*

*ing. Jul. de.
lib 9 cap. 15.*

and valour to reprove them: because such reproofes (if they were not well taken, might cost those that reprov'd them their lives, as it did *John Baptist*, and many of the Prophets. And therefore God when he sent his Prophets to reprove Kings, he often bad them not to be affraid, and that God permitted to his Prophets or Priests under the Law any further attempts against Princes, then in words to reprove them, or to declare his will and precepts unto them, I will not believe till I have better authority for it then *Bridges* his observations.

Erises. But we have warrantable examples and Presidents from the Reformed Churches of *Germany, France, Geneva, Scotland, Holland*, to justifie our taking up arms in our own defence to be lawfull, though against the King.

Irenaeus. Your Examples from Forraigne Churches, without they have warrant from the word of God for what they did, will be but weake proofes to justifie you in your doings, though you could prove your conformity with them to be full and exact in all particular Circumstances. But more distinctly,

First, I answer that none of the forenamed Protestant Churches have inserted this amongst the Articles of their Confessions to be believed, as a positive truth, that it is lawfull for Subjects to take up defensive arms against their lawfull Sovereigne, and if they had, for my part I would not believe it, unlesse they could shew better authority for it out of the word of God, then *Buchanan, Knox, Doughts, Bridges*, or any of that Anti-mohurchicall Faction have done.

Secondly, this briefly I may say, of any, or of all the Reformed Churches, that if they had not Law for what they did, (as you for ought I know have none for your defensive

ensive Arms against the King) then their doings were not justifiable by the Lawes of their Country *in foro soli* much lesse by the Law of God *in foro poli*, and the reason why I dare not be peremptory in passing my judgement upon the facts of other Churches, is because the circumstances must be fully knowne before a fact can be rightly discerned, or judged to be lawfull or unlawfull, & I have not to busied my selfe in other Common-wealths, as that I dare definitively pronounce sentence of their doings, being perhaps not thoroughly acquainted with the ground of them.

Thirdly, to impute to a whole Church, that which is taught or done by some in the Church, or *a facto ad jus*, from a thing done by some in an Orthodox Reformed Church to argue the lawfulness of doing it, were ridiculous, for many things are taught and done in a Church, which are not taught and done by the Church, and that which is done by a prevailing party in a Church, is often done without the allowance and approbation of the best Divines in that Church, as now: Should the decisions of the past convention of Divines in this Church, or the Votes of the factious Party take place, (who would, might they have their wills, lead both Church and State in Triumph, and set their feet upon the necke of Sovereignty) there is no doubt but the flower of the Nobility and Gentry in this Kingdom, both the Universities, the greatest and ablest part of Divines, many thousands of the Kings most religious loyall Subjects of interiour rank, together with very many of the ablest and most judicious of the House of Commons, that (according to the rules of Religion, Loyalty, and Lawes,) have afforded their utmost assistance to His Majesty; should all be censured as Delinquents,

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and many of them suffer under the name of Malignants: & ty no ne (I presume) in his right wits could beleieve such a sentence to be the definitive sentence of the Church and State essentially considered; though had it not been timely withstood, it might and would have been the sentence of a prevailing faction, in the Church and State; But the Lord of Hosts, I trust, will take the cause of his Anointed into his own hands, and fight his battells, and not suffer His Majesty, this Church and Nation to be so triumphed over, and trampled upon, without a speedy revenge of such high and hainous indignities.

Lastly, Summe up the account, and then tell me whether as the Primitive Church did, so you of this Church and Kingdome may not gain more by humble supplicating, and peaceable submitting to Authority, then ever you are likely to gaine by a violent resisting of it. I will close up this point with a remarkeable passage out of *Calvin*.

*Si a saevo principe crudeli-
ter torquemur, si ab avaro aut
luxurioso rapaciter expila-
mur, si ab ignaro negligimur,
si ab impio denique, & Sacri-
lego vexamur ob pietatem:
subeat primum delictorum
nostrorum, recordatio quæ ta-
libus haud dubio Domini fla-
gellis castigantur. Inde hu-
militis impatentiam nostram
frangat: succurrat deinde,
& haec cogitatio, non nostrum
esse huiusmodi malis moderi,*

If we be cruelly oppressed by a cruell Prince, if we be polled, and pillaged by a covetous or luxurious Prince, if we be negligently gover- ned by a carelesse Prince, if for godlinesse we be (as God be thanked we are not) perse- cuted by an Impious and sa- crilegious Prince, let us in the first place remember our sins, which, no doubt, are cor- rected by God with such scourges: this will be a means

*hoc tantum esse reliquum,
ut Domini opem implore-
mus, cuius in manu sunt
Regum Corda, & Regno-
rum Inclinationes.* Cal-
vin Institut. lib. 4. cap. 20.
Sect. 29.

to bridle our impatience with
humility, then let this thought
come into our minds, that it
is not in our power (without
Gods help) to mend or reme-
dy such evils, and therefore in
the last place, it remains that
we should implore the help of
God in whose hands are the
hearts of Kings, and inclinati-
ons of Kingdoms.

Have you any other colourable pretences which may
in some sort seemingly excuse, though in no sort justify
your taking up Arms to resist the King, who is the highest
power in this Kingdom next under God, and therefore can-
not be resisted without perill of damnation, *Rom. 13. 2*

Eristes. You mistake *Irenæus*, we doe not resist the
King or his legall power, but only his verball personall
illegall command, which we may doe without danger of in-
curring the penalty threatned by the Apostle to such as re-
sist the higher power, *Rom. 13. 2.*

Irenæus. The Apostle in that Chapter commands all
who live under authority to be subject to the higher po-
wer, and proves by five perswasive convincing reasons, that
they ought to be subject.

First, *ab Authore*, from the Author of all power *quia
non est potestas nisi a Deo*, because there is no power but
of God.

Secondly, he proveth that all must be subject to the
higher power, *a bono ordinis*, from the good of order, *quia
potestates quæ sunt a Deo, ordinatæ sunt*, because the powers
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that be, are ordeined and set in order by God one above another, and we should be Authors of confusion, and perverters of that comely order which God, who is the God of order, and not of confusion, hath ordeined, if we should refuse to live in subjection unto him, whom he hath appointed to rule over us.

Thirdly, that we are to be subject to the higher power, he proves *a malo culpa*, because it is a sin to resist the Supreme Magistrate, or the higher power, for he that resisteth the power, resisteth the Ordinance of God. *vers. 2.* Beware then how thou resist thy Prince upon any pretence or take part with such as doe resist him by force of Arms, for his Person is sacred, his ordination divine, and cannot without sin be resisted.

Fourthly, that we must be subject to the higher power the Apostle proves *a malo pœna*, from the evill of punishment, because they that resist, and will not be subject, shall unavoidably and deservedly receive to themselves *crimes*, judgement, if not temporall in this world, yet most certainly eternall in the world to come, unless they repent.

Lastly, he proves that we must be subject to the higher powers *a bono societas*, from the good of Society, because we that live in a civill Society, receive and reape much good by their government, they are the Ministers of God for our good. Were there no King appointed to rule over us, we should soon see a generall Anixy, Disorder and Confusion in all estates; in the Church such abuses, as would make us to abhorre the Sanctuary of the Lord: in the Common-wealth such hairous enormities and impieties, as would vex our Soules to see and behold them. In the 17. 18. 19. Chapters of the Booke of Judges, there we may read of disorder upon disorder, and still in the
close

close this is alledged as the chiefe cause of all those disorders, That there was no King in *Israel*, to curb and restrain the insolent unruly passions of men, but every one was permitted to doe what seemed good in his own eyes, and no wonder that all things in the Church and State were then out of order, when there was no King, or no authority in the Supream Magistrate to keep men in due order, by all which it evidently appears that *Præstat sub malo Principe esse, quam sub nullo*, It is better to live under the government of an evill or Tyrannicall Prince, then to have none at all to govern us.

Wherefore, because all power is of God; because the powers that be, are *retagmenai* ordained and set in order by God; because it is a sin to resist the higher powers; because judgement both temporall and eternall is the punishment of that sin: Lastly, because they are the Ministers of God for our good, therefore as the Apostle infers, we must of necessity be subject unto them, not only for feare of the temporall sword, or incurring their wrath and displeasure (who cannot but be angry and much displeased with those that resist them) but also for Conscience sake towards God, who hath indur'd upon the Conscience of all inferiours, to performe the Duty of Subjection to their Superiours, yet should they be such as the higher powers, they were Tyrants to their own Subjects, and Persecutors of Christian Professours, and professed Enemies of the Christian faith.

He that was Emperour when Saint *Paul* wrote that Epistle to the *Romans*, was *Nero*, a Tyrant, a vile and violent opposer of Christian Religion. *Nero* (which he read *Meulin*) is a Monster in nature, the shame of humane kind, the first Emperour that began to persecute the Church, nevertheless

where the Apostle Rom. 13. speaking of that power which was then in being, saith that it was ordeined by God, and that whosoever resisted the same, resisted the ordinance of God, and by their resistance did deservedly pull upon themselves damnation: and if in the Apostles judgement it was a sin deserving damnation to resist Nero, a bloody Tyrant, and cruell persecuter of Christians; what a haynous sin are they guilty of, and what a judgement doe they deserve that resist His sacred Majesty, our Sovereigne Lord King Charles, who is the most gracious and religious King in Christendom.

Erister. I tell you we neither resist the King, nor His Legall power, but only His illegall will and command.

Irenaw. First, are you sure that all, or any of the Kings commands which you withstand, are illegall, if they be not, then *Boroughs* your chiefe Advocate freely grants, That there is no help left you, but either to fly, or passively to obey them, though he command you to obey such Laws as be sinfull. If they be every way illegall, neither agreeable to the Law of God, nor the Laws of the Land, then you may doe well to enforme us, how you may with a safe and satisfied Conscience resist them, and neither resist the King, nor His Legall power; that you may resist them by a bare deniall of obedience unto them (if such a deniall may be termed a resistance) is formerly granted: but may you resist them with armed violence, will you cut his illegall commands in peeces with your Swords, or beat them back with your Cannons; doe not alter the state of the question, and the point is cleare, That the resistance which you make, is not only against the verball commands of the King, but against the King himselfe who gave those commands, and by consequence against that Legall Kingly power, or Royall Authority,

city, which can never be divorced from His sacred Person while He remains a King; for though his authority may by Delegation or Commission be in His Courts, where His Person is not ever present, yet that His person can be any where, or at any time without His Royall authority is such a sublime point, such an hidden mystery of State, such a new peece of Divinity, that my faith is not strong enough to beleeve it; nor yours, or any other mans wit sufficiently able to prove it. Surely the Primitive Christians were dull and stupid, who, poore, simple, ignorant Soules, out of meer simplicity suffered so much, because they were not capable of this subtle, nice distinction, which were it once admitted for currant and Canonick; Subiects might resist the Prince, and lay violent hands up on His Person, and yet be neither Traytors nor Rebels, but canonized Saints; And what can the poore Kingdom expect, where the Person of the Prince is not held inviolable and sacred? but combustion and confusion.

The Jewshave a proverbiall saying, *Migrandum est ex illo loco ubi Rex non timetur*, That men shou'd haste out of that place, Country, or Kingdom where the King is not feared, thereby intimating that doubtlesse some great and fearfull iudgement doth hang over it.

Oh then let me exhort you who have taken up Armes against your Sovereign, not to turn Religion into Rebellion, patience into violence, fidelity into perjury, subjecthood into sedition, and you *London* Lecturers that have been the chiefe Trumpeters to this desperate, unnaturall, bloody, irreligious Warre, turn not your spirituall *Militia*, into that which is carnall, doe not exhort men in the fear of God to fight against the King, for that feare of God which doth not strengthen, but abate the feare of the King, and shrink
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Errata.

In the second word the adde *Loves* and. p.9. l. 5.
In the first l. 25. In secondly, r. thirdly, p. 28. l. 3. for
lawfulnessse r. lawfullnesse l. 24. for
other liccall fruits I leave to the com-
mune Reader.



FINIS

